

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to payment for transportation and providing an opportunity for public comment

The Human Services Department hereby proposes to amend Chapter 151, “Juvenile Court Services Directed Programs,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code chapter 232.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 270.4.

Purpose and Summary

2020 Iowa Acts, Senate File 2284, was enacted by the 88th Session of the Iowa General Assembly and signed by Governor Reynolds on June 17, 2020. This Act relates to matters involving the State Board of Regents and the institutions it governs. Iowa Code section 270.4 was amended to eliminate obligations to counties and institutions for transportation costs of students enrolled in the School for the Deaf and the Braille and Sight Saving School. Chapter 151 is proposed to be amended to remove an exclusion for transportation, effectively allowing payment for transportation. Clothing and medical expenses remain the responsibility of counties and institutions, so those will remain in the rule as an exclusion. For reference, the excluded costs in subparagraph 151.22(2)“b”(6) are as follows:

- Payment by counties: Iowa Code section 263.12,
- Braille and Sight Saving School expenses: Iowa Code section 269.2, and
- Clothing and prescriptions for the School for the Deaf: Iowa Code section 270.4.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 11, 2021. Comments should be directed to:

Nancy Freudenberg
Iowa Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend paragraph **151.22(2)“b”** as follows:

b. All charges for which the county is obligated by statute to pay including:

(1) to (5) No change.

(6) Clothing, ~~transportation~~, and medical or other service provided to persons attending the Iowa Braille and ~~Sight-Saving~~ Sight Saving School, the Iowa School for the Deaf, or the ~~state hospital school for severely handicapped children at Iowa City~~ University of Iowa Stead Family Children’s Hospital for which the county becomes obligated to pay pursuant to Iowa Code sections 263.12, 269.2, and 270.4 ~~to 270.7~~.

(7) and (8) No change.